

CITY COUNCIL, CITY OF LODI
CITY HALL COUNCIL CHAMBERS

February 3, 1982

A regular meeting of the City Council of the City of Lodi was held beginning at 8:00 p.m., Wednesday, February 3, 1982 in the City Hall Council Chambers.

ROLL CALL	Present:	Councilmen - Hughes, Katnich (left the meeting at approximately 10:00 p.m.), Murphy, Pinkerton, and McCarty
	Absent:	Councilmen - None
	Also Present:	Assistant City Manager Glenn, Public Works Director Ronsko, Community Development Director Schroeder, City Attorney Stein, Assistant Planner Starr and City Clerk Reimche
INVOCATION	The invocation was given by Reverend Robert D. Lewis, First Southern Baptist Church	
PLEDGE	The Pledge of Allegiance was led by Mayor McCarty	
PUBLIC HEARINGS	<p>Notice thereof having been published in accordance with law and affidavit of publication being on file in the office of the City Clerk, Mayor McCarty called for the public hearing to consider the appeal of George J. Williams, M.D., 1200 West Vine Street, Lodi, of the Planning Commission's denial of his request for a Use Permit to use the single-family parcel at 1001 York Street, Lodi, as an off-street parking lot for the expansion of Fairmont Rehabilitation Hospital at 950 South Fairmont Avenue, Lodi, California.</p> <p>The matter was introduced by Community Development Director Schroeder, who presented diagrams of the subject area.</p>	
APPEAL OF DR. GEORGE J. WILLIAMS, 1200 WEST VINE STREET LODI OF THE PLANNING COMMISSIONS DENIAL OF HIS REQUEST FOR A USE PERMIT TO USE THE SINGLE-FAMILY PARCEL AT 1001 YORK STREET, LODI, AS AN OFF-STREET PARKING LOT FOR THE EXPANSION OF FAIRMONT REHABILITATION HOSPITAL AT 950 SOUTH FAIRMONT STREET	<p>The following persons spoke in behalf of the appeal:</p> <ul style="list-style-type: none"> a) Dr. George Williams, 1200 West Vine Street, Lodi b) Dr. Walter Reiss, 1200 West Vine Street, Lodi c) Mr. Richard Sanford, Administrator, Lodi Memorial Hospital, 975 South Fairmont, Lodi <p>The following persons spoke in opposition to the appeal:</p> <ul style="list-style-type: none"> a) Mrs. Paul Mayer, 930 York Street, Lodi b) Mr. Clarence Wemmers, 931 York Street, Lodi c) Mr. Frank Remus, 901 York Street, Lodi d) Mr. Lloyd Brosnikoff, 901 Windsor Drive, Lodi e) Janet and Richard Wilcox, 1007 S. Orange Street, Lodi f) Mr. Paul Mayer, 930 York Street, Lodi <p>There being no other persons wishing to speak on the matter, the public portion of the hearing was closed.</p> <p>Following a lengthy discussion with questions being directed to Staff, and to persons who had given testimony, Council, on motion of Councilman Hughes, Pinkerton second, determined that a Use Permit to use the single-family parcel at 1001 York Street, Lodi, as an off-street parking lot for the expansion of Fairmont Rehabilitation Hospital at 950 South Fairmont Avenue be granted with the conditions that negotiations for the purchase of the property at 1000 Windsor Drive go forward, that whatever parking spaces are necessary for this expanded facility be provided at</p>	

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Lodi Memorial Hospital; that these parking spaces be properly signed and that adequate loading and unloading areas and refuse storage be made available immediately adjacent to the proposed expanded facility. The motion carried by the following vote:

Ayes: Councilmen - Hughes, Murphy, Pinkerton, and McCarty

Noes: Councilmen - Katnich

Absent: Councilmen - None

RECESS

Mayor McCarty declared a five-minute recess and the meeting reconvened at approximately 10:00 p.m. Councilman Katnich excused himself from attending the balance of the meeting.

COUNCILMAN KATNICH
LEFT THE MEETING

PLANNING COMMISSION

The following report of the January 25, 1982 Planning Commission meeting was given:

The Planning Commission:

REQUEST TO REZONE
PARCEL APN 049-070-14
FROM R-1 TO M-1 AND
CERTIFY NEGATIVE
DECLARATION

Recommended the approval of the request of Aladdin Real Estate on behalf of Glen and Hazel Houston to rezone the parcel at 820 South Cluff Avenue (i.e. APN 049-070-14) from R-1, Single-Family Residential to M-1, Light Industrial and certified the filing of a Negative Declaration on the project by the Community Development Director.

On motion of Mayor Pro Tempore Murphy, Hughes second, Council set the heretofore listed matter for public hearing for February 17, 1982.

ITEMS OF INTEREST

The Planning Commission also:

Approved the request of Baumbach and Piazza, Consulting Engineers, on behalf of Richard Evans Company for the Tentative Subdivision Map of Hiway, a one-lot, 6 unit Condominium project at 719 North School Street, in an area zoned R-HD, High Density Multiple Family Residential and certified the filing of a Negative Declaration on the project by the Community Development Director.

COMMUNICATIONS CITY CLERK

SYNOPSIS OF CHAPTER
1162, 1982 STATS.
PRESENTED TO
COUNCIL

A Synopsis of Chapter 1162, 1982 Stats. regarding Family Day Care Homes was presented for Council's perusal.

City Clerk Reimche presented a letter which had been received from Ellerth E. Larson, Superintendent, Lodi Unified School District regarding the Leroy F. Greene Building program and the fact that a group of mayors in Southern California will be soliciting support for approaching the governor relative to his recent freeze on school construction funds.

INFORMATION REGARDING
LEROY F. GREENE
BUILDING PROGRAM
RES 82-10

Following discussion, on motion of Mayor Pro Tempore Murphy, McCarty second, Council adopted Resolution No. 82-10 urging the Governor to reconsider his recent freeze on school construction funds and his minimal recommendation to the Leroy F. Greene building program in next year's budget.

ABC LICENSES

City Clerk Reimche presented the following applications for Alcoholic Beverage Licenses:

- Donald E. Swim, Freeway Shell, 880 E. Victor Road, Lodi, off-sale beer and wine eating place.
- Joseph and Susan Nitzky, Lodi Inn, 10 West Oak Street, Lodi, on-sale beer and wine eating place.
- Ladon J. and Marlene L. Strapp, Am Pm Mini Market, 20-A West Turner Road, Lodi, Off-sale beer and wine.

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CHECK RECEIVED
FROM OLD LODI
HIGH SCHOOL SITE
FOUNDATION

City Clerk Reimche presented a check in the amount of \$600.00 which had been received from the Old Lodi Union High School Site Foundation. Mayor Pro Tempore Murphy colored in the appropriate number of blocks on the graph indicating total contributions received to date.

CLAIMS

On motion of Councilman Hughes, Murphy second, Council denied the Claim filed on behalf of Linda Krutsinger and referred same to R. L. Kautz and Company, the City's contract administrator.

REQUEST TO LEASE
CITY STREET - EAST
WALNUT, DEAD ENDING
AT RAILROAD

Council referred to Staff for investigation and recommendation, request of Garrett Baldwin, Baldwin Olds, Buick, Inc. to lease the City Street - East Walnut, which dead ends at the Railroad property.

COMMENTS BY CITY
COUNCIL

On motion of Councilman Pinkerton, Murphy second, the following appointments were made by Mayor McCarty with the concurrence of the City Council:

APPOINTMENTS TO
VARIOUS BOARDS AND
COMMISSIONS

- a) Site Plan and Architectural Review Committee
Ron Judson
Leonard Bull
- b) Economic Development Agency
Robert Spoor
Cecil Dillon - Alternate

On motion of Mayor Pro Tempore Murphy, Hughes second, Council determined that SPARC members terms would be determined by drawing.

Further, City Clerk Reimche was directed to post as required by law, the appointive positions created under the recently created Economic Development Commission.

REPORT OF CITY
MANAGER

CONSENT CALENDAR

In accordance with report and recommendation of the City Manager, the following actions, hereby set forth between asterisks, on motion of Mayor Pro Tempore Murphy, McCarty second, were approved by Council.

CLAIMS

CLAIMS WERE APPROVED IN THE AMOUNT OF \$585,906.30

MINUTES

THE MINUTES OF JANUARY 6, 1982 WERE APPROVED AS WRITTEN.

ACCEPTANCE OF "FIRE
STATION #2"

Council was apprised that the contract which had been awarded to Fanos Construction on August 20, 1980 for "Fire Station #2" in the amount of \$358,417 has been completed in substantial conformance with the plans and specifications approved by the City Council.

Council approved the improvements in "Fire Station #2" and directed the Public Works Director to file a notice of completion thereon.

SPECS FOR MODIFICA-
TIONS AND REPAIR OF
WATER/SEWER DIVISION
BOOM TRUCK APPROVED

Council approved the specifications for modifications and repair of water/sewer division boom truck and required mobile crane certification as per state of California Department of Industrial Relations, and authorized the purchasing agent to advertise for bids thereon.

PLANS AND SPECS
FOR SACTO STREET
INDUSTRIAL WASTE-
WATER LIFT STATION
MODIFICATIONS

Council approved the plans and specifications for "Sacramento Street Industrial Wastewater Lift Station Modifications" and authorized the City Clerk to advertise for bids thereon.

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ITEMS REMOVED FROM
AGENDA

With the tacit concurrence of the City Council, Agenda item "f" - "Approve Pheasant Run Subdivision" was removed from the agenda.

Council was apprised that a request had been received from William Cox, Business Manager for the Lodi Unified School District, and Leroy Carney, Principal of Tokay High School to establish a bus loading zone on Century Boulevard in an attempt to alleviate bus loading problems at the school.

BUS LOADING ZONE
ESTABLISHED ON
CENTURY BLVD.

Council adopted the following Resolution:

RESOLUTION NO. 82-11

RES. NO. 82-11

Resolution establishing a bus loading zone on Century Boulevard at Tokay High School (north side of Century Blvd. extending from the east property line of Tokay High School to 240 feet west).

LOT LINE ADJUSTMENT
BETWEEN PARCEL 1 and
PARCEL 3 - WILLOW
OAKS BUSINESS PARK
APPROVED

Council adopted Resolution No. 82-12 approving a lot line adjustment - between parcel 1 and parcel 3 - Willow Oaks Business Park with the following conditions:

RES. NO. 82-12

1. The public utility easments, as required by the various utility companies and the City of Lodi, be dedicated; and;
2. That Parcel 1 be provided an access easement over the easterly 20 feet of Parcel 3.

AGREEMENT WITH
ALCOHOLICS
ANONYMOUS APPROVED

Council approved an agreement with Alcoholics Anonymous for the use of the Maple Square Fire House and authorized the City Manager and the City Clerk to execute the agreement on behalf of the City.

DOWNTOWN LODI
ASSESSMENT DISTRICT
NO. 1

Agenda item "j" - "Downtown Lodi Assessment District No. 1" was introduced by City Manager Glaves. Outlining the information before the Council and the procedure to be followed as prescribed by law was Mr. Timothy J. Hachman, Attorney-at-law, of Blewett, Garretson and Hachman. A proposed Agreement with Quad Engineering, Inc. was presented for Council's perusal. A lengthy discussion followed regarding Quad's tasks under the proposed agreement, the City's responsibilities, and the compensation to Quad under the proposed agreement.

A very lengthy discussion followed with questions being directed to Staff, Mr. Hachman and representatives of Quad Engineering, Inc. The improvement plans for downtown traffic circulation; specifically one-way streets on Oak and Walnut Street in the City of Lodi was discussed at length.

On motion of Councilman Pinkerton, Murphy Second, Council adopted Resolution No. 82-13, - Resolution determining Compliance with Division 4 of the Street and Highway Code, and determining to undertake proceedings pursuant to Special Assessment and Assessment Bond Acts for the acquisition and/or construction of improvements without further proceedings under said Division 4 of the Streets and Highways Code.

On motion of Mayor Pro Tempore Murphy, Pinkerton second, Council approved the Agreement with Quad Engineering, Inc. to perform the required engineering and assessment tasks associated with this project, and authorized the Mayor and City Clerk to execute the Agreement on behalf of the City.

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DOWNTOWN LODI
ASSESSMENT DISTRICT
NO. I

Additional discussion followed regarding Quad Engineering, Inc. responsibilities under the Agreement, the City's responsibilities and the payment of fees under this agreement.

RES. NO. 82-13
RES. NO. 82-14

Councilman Hughes then moved for rescission of the action of the Council to approve the Agreement with Quad Engineering, Inc. The motion was seconded by Mayor McCarty but failed to pass.

Following additional discussion, Council, on motion of Councilman Pinkerton, Murphy second, adopted Resolution No. 82-14 appointing the Engineers and Attorneys for this project.

Following additional discussion, Council, on motion of Councilman Hughes, McCarty second, set a Special Meeting for Wednesday, February 24, 1982 for a Public Hearing to consider the improvement plans for downtown traffic circulation, specifically one-way streets on Oak and Walnut Street, in the City of Lodi. Further, the City Clerk was directed to set this matter for Council study at the February 9th Informal Informational meeting and to delay executing the agreement with Quad Engineering, Inc. until after this Special Meeting and until such time as Council directs its execution.

CONSIDERATION OF
REQUEST FOR
PUBLIC CONDEMNATION
OF ASSESSOR
PARCEL NOS. 049-
020-02 AND 049-
020-16 CONTINUED

Following introduction of the matter, Council on motion of Councilman Pinkerton, Murphy second, continued to the Special Meeting of February 24, 1982, the request of Morris and Wenell for public condemnation of the right-of-ways on the Snell and Jerome properties, Assessor Parcel Nos. 049-020-02 and 049-020-16.

REQUEST FOR SIDE-
WALK INSTALLATION
ON SUNSET DRIVE

Following introduction of the matter, and a lengthy discussion, Council on motion of Councilman Hughes, Pinkerton second, continued consideration of the request to require sidewalk installation on Sunset Drive, Lodi, to the regular meeting February 17, 1982, directing the City Clerk to provide Council with procedural information regarding sidewalk installation under the provisions of the State of California Streets and Highways Code.

3M CONTRACTS FOR
BILLBOARDS
APPROVED

Following introduction of the matter, Council, on motion of Councilman Pinkerton, McCarty second, approved Contracts with 3M National Advertising Company for billboards located at the Highway 99 entrances to the City and authorized the Mayor and City Clerk to execute the Agreements on behalf of the City.

RES. DESIGNATING
PRECINCTS, APPOINT-
ING PRECINCT OFFIC-
ERS AND ESTABLISH-
ING RATES OF
COMPENSATION

Following introduction of the matter by City Clerk Reimche, Council on motion of Mayor Pro Tempore Murphy, Pinkerton second, adopted Resolution No. 82-15 designating precincts and polling places, appointing precinct officers, fixing compensation for the Election Officer, establishing fees for use of polling places and directing the City Clerk to publish in the time, form and manner required by law, a list of Election Officers and polling places.

RES. NO. 82-15

SALARIES OF
COUNCIL MEMBERS

The following report was presented by City Clerk Reimche:

As directed by Council, we have reviewed the City's ordinance and the State of California Government Code Sections relating to changes in compensation for Councilmen and find that "Compensation of Councilmen may be increased beyond the amount provided in this section or decreased below such amount by an affirmative vote by the majority of the electors of the city voting any municipal election". Therefore, Council members will receive a salary of \$200.00 per month effective April 20, 1982, until such time as the electorate votes otherwise, or the City's population changes to either a lower or higher population group as set forth in the code.

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EXCAVATION OR
DEEPENING OF LODI
LAKE

At an earlier shirtsleeve meeting, Councilman Pinkerton inquired about the difficulty of preparing plans and specifications for the excavation or deepening of Lodi Lake. It was understood that the purpose of the request for lake excavation was to increase the flow to the City's groundwater table. Following investigation of the matter, Staff had prepared a report which had been presented to Council at the Informal Informational meeting of February 2, 1982.

A lengthy discussion followed with questions being directed to Staff.

On motion of Mayor Pro Tempore Murphy, Pinkerton second, Council authorized the expenditure of approximately \$700.00 for permeability tests of the Lodi Lake bottom. The motion carried by the following vote:

Ayes: Councilmen - Murphy, Pinkerton, and McCarty

Noes: Councilmen - Hughes

Absent: Councilmen - Katnich

MELONES DAM
LOWERING

Following additional discussion, Council, on motion of Pinkerton, Murphy second, directed the City Clerk to prepare a letter to Governor Brown from the Council regarding his recent position on the lowering of the Melones Dam.

CORBIN LANE
FLOODING

Council received a report regarding Corbin Lane Flooding as prepared by Staff. The matter had been discussed at the February 2, 1982 Informal Informational Meeting. Council was informed that if the Storm Drain Capital Improvement Project as outlined by Staff was constructed, the drainage on Corbin Lane could be brought to near City standards by taking the Westdale Subdivision drainage to the temporary pond on Vine Street. This project is the ultimate storm drain connecting Cochran Road to Tokay Street. Council was further advised that this item will be discussion with the proposed 1982-83 C.I.P.

CITY'S SELF
INSURANCE LIABILITY
PROGRAM

Following introduction of the matter, Council, on motion of Councilman Pinkerton, Murphy second, approved an expenditure of \$46,850 for the City's excess liability coverage with a limit of \$20,000,000 over a self-insured retention of \$100,000 which amount represents an annual premium.

ADJOURNMENT

There being no further business to come before the Council, Mayor McCarty adjourned the meeting at approximately 12:05 a.m.

Attest:

Alice M. Reimche
ALICE M. REIMCHE
City Clerk